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### **EXPEDITED PARTNER THERAPY**

The following rule is now in effect:

844 IAC 5-4-2 Expedited Partner Therapy

Authority: IC 25-22.5-2-7

Affected: IC 25-1-9;

Sec 2. Section 1 of this rule does not apply if the physician is prescribing or dispensing medications for the treatment of Chlamydia trachomatis or Neisseria gonorrhoeae to sex partner(s) of the physician's diagnosed patient without requiring examination of the sex partner(s). Medications must be in accordance with current professional theory or practice for the treatment of these infections. The current Centers for Disease Control and Prevention of Sexually Transmitted Diseases Treatment Guidelines shall be considered an authoritative source of such current professional theory or practice. Partner management of patients with gonorrhea or Chlamydia shall include providing the following items:

- (1) Notification to the infected patient that all partners should be evaluated and treated;
- (2) Written materials for the infected patient to give partners that state that a clinical evaluation is desirable; lists common medication side effects and the appropriate response to them; fact sheets regarding sexually transmitted diseases; and emergency contact information;
- (3) Prescriptions or dispensed medications and accompanying written materials shall be given to the physician's patient for distribution to named partners; and
- (4) The physician shall maintain appropriate documentation of partner management. Documentation shall include the names of partners, if available, and a record of

treatment provided. If the partner's name is not available, documentation shall be kept within patient's file.

## **BOARD MEMBER CHANGES**

Thank you to **Don Vennekotter, MD**, from Jasper, Indiana, for his many years of service and dedication to the Board. His last meeting was June 2012.

**Dr. John McGoff, MD.**, from Indianapolis was recently appointed by Governor Daniels to serve on the Board. Dr. McGoff received his medical degree from Indiana University and has board certification from the American Board of Emergency Medicine. He is currently employed as an ER physician at Community Hospitals of Indianapolis and is Brigadier General of the Indiana Air National Guard. Dr. McGoff is also past president of the Indianapolis Medical Society and former Marion County Coroner. Dr. McGoff is married to Karen and they have a daughter Ava. Dr. McGoff's first meeting will be December 6<sup>th</sup>. Welcome to the Board!

## **RENEWALS**

Renewals for medical licenses and residency permit are fast approaching. All MD/DO licenses and medical residency permits and Controlled Substance Registrations (CSR) will expire on **June 30, 2013**. Around May 1st, you will receive notification, **via email**, that your license is now available to renew online. You cannot renew your license until 60 days prior to the expiration date. Please make sure that IPLA always has your current address and email address on file. The cost to renew your medical license is \$200 and the cost to renew each CSR is \$60. If you fail to renew by June 30, 2013, there will be a \$50 late fee assessed to your license and each CSR that you hold. Renewals will be available at [www.pla.IN.gov](http://www.pla.IN.gov) after May 1, 2013. Your login ID is your full license number and your password is the last 4 digits of your social security number.

If you are in the military and being deployed and need to renew early, please contact our office at [pla3@pla.IN.gov](mailto:pla3@pla.IN.gov). Only those being deployed may renew early.

## **CHECK YOUR LICENSE ONLINE**

It is always a good idea to verify the information listed on your license. If you go to <https://mylicense.in.gov/everification/Search.aspx> you can do a license search on yourself.

- Check the address on your CSR and approved drug schedules
- Verify the physician assistants and advanced practice nurses associated with your license
- Verify your specialty

If any of the information is not accurate, please contact the Board at [pla3@pla.in.gov](mailto:pla3@pla.in.gov)

## **THE CONSUMER COMPLAINT PROCESS: THE ROLE OF THE OFFICE OF THE ATTORNEY GENERAL**

By: David Fleischhacker, Deputy Attorney General

There are boards or committees that regulate over twenty five (25) health care related professions, including doctors, nurses, pharmacists, dentists, and veterinarians. There are also boards or commissions that regulate over fifteen (15) non-medical professions, including real estate professionals, real estate appraisers, plumbers, cosmetologists, engineers, and architects. The Office of the Indiana Attorney General (“OAG”) investigates and prosecutes complaints against physicians and these other licensed professionals and others who engage the practice of medicine without a license. The OAG also obtains and secures abandoned health records or other records with personal identifying information to protect those named in the files from becoming victims of identity theft. This is the first of a two article series that will help you understand the process that takes place when a complaint is received against a licensed professional. This article will take you through how a consumer complaint is processed by the OAG. The second article will detail the process by which an administrative complaint is litigated before a board, committee, or commission.

### **Consumer Complaint Investigation Process**

Any person may file a consumer complaint against a professional licensed in the State of Indiana or a person operating without a license in a regulated profession. Consumer Complaint Forms can be printed from or filled out online at: [IndianaConsumer.com](http://IndianaConsumer.com). When a complaint against a licensed professional or a person committing the unlicensed practice of a regulated profession is submitted to the OAG, it is reviewed and investigated by the Licensing Enforcement and Homeowner’s Protection Unit of the Consumer Protection Division. An investigation file is opened and information is collected to determine whether a licensing violation occurred or whether someone may have been engaged in activities without the required license. The information collected could include such things as employment records, medical records, criminal court documents, documents from licensing agencies in other states, and witness accounts. While the complaint is being investigated, the matter is kept confidential

pursuant to Ind. Code § 25-1-7-10; only the complainant, the licensee involved, and those individuals who need to be contacted in order to obtain information are aware of the investigation.

Once the investigation has concluded and all the necessary information has been obtained, a determination is made as to whether a violation has occurred. If no violation has occurred, then the case is closed and letters are sent informing the licensed professional and the individual who filed the complaint that the case has been closed. Sometimes, the facts of the case warrant a warning letter informing the licensed professional or the alleged unlicensed person that their actions, while not necessarily a violation, still were not appropriate. Finally, if it is determined that a violation occurred or that someone practiced without a license, a litigation file is created and an administrative complaint will likely be filed against the license or individual involved.

### **Consumer Complaint Data**

In 2010, there were 371 consumer complaint investigations opened against practitioners that are licensed by the Medical Licensing Board of Indiana. Of those complaints, 316 were closed, 10 were closed with a warning letter, and 45 were turned into litigation files to take action against their license. In 2011, there were 528 investigations opened. Of those complaints, 429 were closed, 19 were closed with a warning letter, and 80 were turned into litigation files to take action against their license. In 2012, there have been 531 consumer complaint investigations opened so far through the end of September. The majority of complaints related to the Medical Licensing Board received by the OAG involve malpractice cases and drug/alcohol related cases.

Additional information on the OAG and its role in protecting the public by taking action against licensed professionals or individuals who commit the unlicensed practice of a regulated profession can be found at: [IndianaConsumer.com](http://IndianaConsumer.com).

## **TRAINING ON DEATH REGISTRY SYSTEM**

The Medical Licensing Board has issued 4 citations against physicians failing to certify deaths on the online system timely. The Indiana State Department of Health is offering

on-line training for the Indiana Death Registration System (IDRS) for Physicians and Coroners. Training will include the procedures for handling funeral director initiated death records and the new option of a physician initiated death records as allowed by SEA 366.

The next training date is November 1<sup>st</sup> at 4:00 p.m. and again at 5:00 p.m (EST). Each session should take about thirty minutes. The additional time is to allow for questions. Registration is not required.

To participate, interested physicians and office staff must:

1. Go to the website at <http://iner05.glance.net?key=7989>
  2. Call the conference phone number 1-877-820-7831 and enter the room number 742720# (you must enter the # key after the number).
- Did you also know that you may assign a designee(s) to the system to also get email notifications when you have a death to certify? Your designee can complete most of the information, then you would just need to log in with your unique pin to certify the death. To add or change a designee you can call the helpdesk at 317-233-7989 or they can send an email to [vrhelpdesk@isdh.in.gov](mailto:vrhelpdesk@isdh.in.gov)

## **RESPONSIBLE PAIN MANAGEMENT PRESCRIBING**

Learn best practices in opioid prescribing and help reduce the overdose epidemic. The ISMA is engaging a leading pain medicine expert, Scott M. Fishman, M.D., to help you treat your chronic

pain patients appropriately when prescribing controlled substances. This program will be presented live in Indianapolis and as an interactive webcast in five satellite locations including Elkhart, Evansville, Fort Wayne, Jeffersonville and Munster.

Interactive Webcast • Friday, Dec. 7

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For more information, visit [www.ismanet.org/go/painmgt](http://www.ismanet.org/go/painmgt) or call (800) 257-4762.

Breakfast and registration: 7:30 a.m.

Program: 8 a.m. - Noon Eastern Standard Time

## **MLB STAFF & CONTACT INFORMATION**

Kristen Kelley – Director

Jody Edens – Assistant Director  
Donna Moran – Litigation/Probation Specialist  
Meredith Shirley – Case Manager  
Dawn Shaffer – Case Manager  
Elizabeth Sangar – Case Manager  
Olivia Balazs – Case Manager

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Medical Licensing Board of Indiana  
402 West Washington Street, Room W072  
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Email [pla3@pla.IN.gov](mailto:pla3@pla.IN.gov)  
Website <http://www.in.gov/pla/medical.htm>  
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## **MEDICAL LICENSING BOARD MEMBERS**

All members of the Board are appointed by the Governor in increments of four (4) year terms. They consist of five (5) medical physicians, one (1) osteopathic physician and one (1) consumer member who are the following:

Stephen Huddleston, J.D. – Consumer Member, Board President, Franklin, IN  
Robert Allen, M.D. – Vice President, Columbus, IN  
Lynda Smirz, M.D. – Secretary, Carmel, IN  
Worthe Holt, Jr., M.D. – Fishers, IN  
Bharat Barai, M.D. – Merrillville, IN  
Kirk Masten, D.O. – Roanoke, IN  
John McGoff, M.D. – Indianapolis, IN

## **BOARD MEETING DATES**

Please note that meeting dates are subject to change or may be cancelled due to lack of business. Board meetings are held in the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204.

### **2012**

- December 6

### **2013**

- January 24
- February 28
- March 28
- April 25
- May 23
- June 27
- July 25
- August 22
- September 26
- October 24
- December 12

A list of disciplinary actions may be found on our license litigation system at <http://www.in.gov/ai/appfiles/pla-litigation/>. Free online licensure look-ups may be obtained at <https://extranet.in.gov/WebLookup/Search.aspx>. This is a real time database and is the best resource for accurate data.